

**MISSISSIPPI COMMISSION ON JUDICIAL PERFORMANCE  
REPORTED CASES**

1. In re Anderson, 412 So.2d 743 (Miss. 1982)

Sanction: Removal - 4/07/1982

Disposition: The Supreme Court held that charging traffic violators a greater sum to be paid as a fine than that officially reported and paid to the county warrants removal from the justice court bench.

2. In re Branan, 419 So.2d 145 (Miss. 1982)

Sanction: Public Reprimand and \$1,000 fine - 8/11/1982

Disposition: The Supreme Court held that: (1) justice court judge's unlawful conduct, in regard to procedure used in collecting bad checks, did not warrant removal from office under certain circumstances; (2) Supreme Court was authorized to order restitution as a sanction; and (3) multiple sanctions could be imposed, in light of fact that judge's conduct constituted both willful and persistent failure to perform his duties and conduct which was prejudicial to the administration of justice and which brought judicial office into disrepute, and imposition of a \$1,000 fine and public reprimand was warranted.

3. In re Lambert, 421 So.2d 1023 (Miss. 1982)

Sanction: Public Reprimand and \$2,000 fine - 11/03/1982

Disposition: The Supreme Court held that a fine of \$2,000 and public reprimand is appropriate for willful and persistent failure to perform judicial duties and for conduct prejudicial to administration of justice which brings judicial office into disrepute. The Commission found by clear and convincing evidence that the Respondent: (a) utilized the criminal process to collect civil debts; (b) failed to properly docket and process bad checks; (c) violated statutory provisions of the Mississippi Code respecting the jurisdiction of the justice court; (d) failed to properly collect and account for contributions to the county law library fund; (e) collected fees in excess of the statutory maximum and paid fees in excess of the statutory maximum to court officials; (f) had a pecuniary interest in the outcome of litigation filed in his court; and (g) violated several Canons of the Code of Judicial Conduct of Mississippi Judges, including but not limited to Canons 1, 2A, 3B, and 5C.

4. In re Inquiry Concerning Odom, 444 So.2d 835 (Miss. 1984)

Sanction: Public Reprimand and \$250 fine - 1/08/1984

Disposition: The Supreme Court held that utilizing criminal process or threat of criminal process to collect "bad checks," failing to properly docket and process "bad check" cases on criminal or civil docket, failing to collect civil court cost in advance from merchants to whom "bad checks" had been tendered, failing to keep records required of the office and collecting court costs from county in cases which were never docketed warrant a public reprimand and a fine of \$250.

5. In re Anderson, 447 So.2d 1275 (Miss. 1984)

Sanction: Public Reprimand and costs - 2/22/1984

Disposition: The Supreme Court held that: (1) judge could not hold part-time job as police officer, and (2) failure to issue writs of garnishment after receiving filing fees to do so was technical violation warranting reprimand rather than fine.

6. In re Smith, 449 So.2d 755 (Miss. 1984)

Sanction: Public Reprimand - 5/02/1984 (No Published Opinion)

Disposition: The Supreme Court affirmed the Commission's Recommendation.

7. In re Anderson, 451 So.2d 232 (Miss. 1984)

Sanction: Removal - 6/06/1984

Disposition: The Supreme Court held that fact that judge was not presently in office did not moot the proceedings and that committing perjury and failing to properly conduct the office in regard to garnishments warrants removal.

8. In re Brown, 458 So.2d 681 (Miss. 1984)

Sanction: Removal, Public Reprimand, and \$1,400 fine - 8/29/1984

Disposition: The Supreme Court held that converting to own use monies of civil litigants in court, aggregating \$21,983.32 and involving 170 different cases, warrants fine of \$1,400, reprimand and removal from office.

9. In re Inquiry Concerning Garner, 466 So.2d 884 (Miss. 1985)

Sanction: Removal - 3/06/1985

Disposition: The Supreme Court held that conduct of judge who receives and collects criminal fines, penalties, costs and assessments on behalf of county and fails to report and pay sums over to county, as required by law, is sufficient to warrant judge's removal from office.

10. In re Cadle, 466 So.2d 79 (Miss. 1985)

Sanction: Dismissed Petition for Interim Suspension and Formal Complaint - 3/27/1985

Disposition: The Supreme Court sustained the Joint Motion to Dismiss Petition for Interim Suspension and to Accept Commission Findings of Fact and Recommendations for Dismissal of Formal Complaint. Respondent successfully completed the required course of continuing education, albeit late and in a special course conducted just for the Respondent, and as the petitioned for interim suspension is no longer necessary, that this formal complaint be dismissed.

11. In re Inquiry Concerning Stewart, 490 So.2d 882 (Miss. 1986)

Sanction: Removal - 6/04/1986

Disposition: The Supreme Court held that removal was warranted where judge violated the duties imposed upon him by law and the Code of Judicial Conduct by converting to his own use money which came into his hands by virtue of office as justice court judge and by falsifying court records to cover his misconduct.

12. In re Cooksey, 515 So.2d 957 (Miss. 1987)

Sanction: Public Reprimand - 11/18/1987

Disposition: The Supreme Court held that disruption of court proceedings, making of accusations of impropriety against another judge and wildlife officers, and acting on behalf of criminal defendant warrants public reprimand.

13. In re Hearn, 515 So.2d 1225 (Miss. 1987)

Sanction: Public Reprimand and \$250 fine - 11/25/1987

Disposition: The Supreme Court held that finding criminal defendants not guilty without trial or notice to officer, improperly assessing constable fees, wrongfully entering judgment n.o.v., interfering with orderly case assignment, and engaging in improper conduct in handling criminal bad check cases constitutes willful and persistent failure to perform duties of judicial office, conduct prejudicial to administration of justice, and bringing judicial office into disrepute warrants public reprimand and imposition of fine.

14. In re Chambliss, 516 So.2d 506 (Miss. 1987)

Sanction: Public Reprimand and \$1,000 fine - 12/16/1987

Disposition: The Supreme Court held that improper interference with administration of police officers, questioning of rape victim, failure to pay traffic fine, failure to properly register automobile, and public support of bond issue, would warrant public reprimand and \$1,000 fine.

15. In re Collins, 524 So.2d 553 (Miss. 1987)

Sanction: Removal - 11/25/1987

Disposition: The Supreme Court held that county court judge's failure to keep records and make reports, imposition of excessive fines, and utilization of prisoners for personal and county work justify his removal from office.

16. In re Mullen, 530 So.2d 175 (Miss. 1988)

Sanction: Public Reprimand, 30 day suspension from office without pay, and \$500 fine - 8/17/1988

Disposition: The Supreme Court held that ordering or allowing an alteration of court dockets and

improperly purchasing replevined property constitutes willful misconduct in office and conduct prejudicial to the administration of justice which brings the judicial office into disrepute and warrants public censure, fine of \$500, and suspension without pay for 30 days.

17. In re Inquiry Concerning D.B., 535 So.2d 47 (Miss. 1988)

Sanction: Private Reprimand - 11/23/1988

Disposition: The Supreme Court held that private, rather than public, reprimand is warranted where judge calls litigant involved in action pending before judge and solicits his political support, where other mitigating circumstances are present.

18. In re Bailey, 541 So.2d 1036 (Miss. 1989)

Sanction: Public Reprimand - 3/29/1989

Disposition: The Supreme Court held that justice court judge who interfered with another judge's order and who had defendant in eviction and past-due rent case jailed would be publicly reprimanded.

19. In re Hearn, 542 So.2d 901 (Miss. 1989)

Sanction: Removal - 4/05/1989

Disposition: The Supreme Court held that practice of ticket fixing, summary adjudication that criminal defendants are not guilty on basis of ex parte communications or other undocketed reasons, submission of improperly changed court abstracts to state Department of Public Safety, use of official influence to seek favorable consideration by judges of other courts for tickets issued to individual defendants, and use of justice court personnel and supplies to carry out course of conduct constitutes judicial misconduct and warrants removal from judicial office, in light of prior public reprimand.

20. Miss. Comm'n on Judicial Performance v. Thomas, 549 So.2d 962 (Miss. 1989)

Sanction: Suspension from office - 10/04/1989

Disposition: The Supreme Court held that: (1) the Supreme Court and the Commission on Judicial Performance had jurisdiction over the judge by virtue of his role as judge pro tempore, (2) conviction of a felony is conduct prejudicial to the administration of justice, (3) conviction of four misdemeanors is conduct prejudicial to the administration of justice, warranting suspension.

21. Miss. Comm'n on Judicial Performance v. Coleman, 553 So.2d 513 (Miss. 1989)

Sanction: Removal - 11/15/1989

Disposition: The Supreme Court held that use of criminal process to collect fees and fines, failure to properly account for the fines, and conversion of the fines to his own use by judge warrants removal.

22. In re Quick, 553 So.2d 522 (Miss. 1989)

Sanction: Removal - 11/22/1989

Disposition: The Supreme Court held that adjudicating approximately 28 driving under the influence convictions and 552 routine traffic convictions without reporting them to Commission of Public Safety warrants removal from office.

23. Miss. Comm'n on Judicial Performance v. Peyton, 555 So.2d 1036 (Miss. 1990)

Sanction: Count 1 - Public Reprimand and Count 2 - Private Reprimand - 1/10/1990

Disposition: The Supreme Court held that: (1) remaining active in political party following election to bench warrants public censure, and (2) request for assistance for person charged with traffic violation in another court, in isolated instance occurring shortly after election to first term, warrants private reprimand.

24. Miss. Comm'n on Judicial Performance v. Walker, 565 So.2d 1117 (Miss. 1990)

Sanction: Public Reprimand - 6/27/1990

Disposition: The Supreme Court held that judge engaged in willful misconduct in office and conduct prejudicial to the administration of justice that brought judicial office into disrepute by holding unsuccessful litigant in contempt, and public reprimand was justified.

25. Miss. Comm'n on Judicial Performance v. Cowart, 566 So.2d 1251 (Miss. 1990)

Sanction: Public Reprimand and \$500 fine - 8/22/1990

Disposition: The Supreme Court held that fine of \$500 and public reprimand is not too harsh for improperly dismissing nonmoving violations, or assessing excessive fees, charges, and costs, and for failure to properly docket cases.

26. Miss. Comm'n on Judicial Performance v. Riley, 572 So.2d 875 (Miss. 1990)

Sanction: Public Reprimand - 12/12/1990 (No Published Opinion)

Disposition: Petition of Mississippi Judicial Performance Commission for public reprimand of judge granted.

27. Miss. Comm'n on Judicial Performance v. A Justice Court Judge, 580 So.2d 1259 (Miss. 1991)

Sanction: Private Reprimand - 5/03/1991

Disposition: The Supreme Court held that judicial misconduct in form of collecting fines in lieu of court clerk and dismissing cases upon representations by offender and without hearing State's side of case warrants only private reprimand, in view of extenuating circumstances.

28. In re Inquiry Concerning Seal, 585 So.2d 741 (Miss. 1991)

Sanction: Public Reprimand and \$500 fine - 8/28/1991

Disposition: The Supreme Court held that justice court judge who dismisses traffic offenses at request of persons with no prosecutorial responsibility, who allows clerical personnel to adjudicate criminal cases, and who allows traffic tickets issued by highway patrol officers to be adjudicated by officers and/or justice court clerk or deputy clerk will be fined \$500 and publicly reprimanded.

29. Miss. Comm'n on Judicial Performance v. Hopkins, 590 So.2d 857 (Miss. 1991)

Sanction: Removal - 7/03/1991

Disposition: The Supreme Court held that allowing clerks and other officials to dismiss traffic tickets without an adjudication, failing to timely sign dockets, and dismissing traffic tickets in exchange for information on other criminal activity warrants removal from office of justice court judge.

30. In re Maples, 611 So.2d 211 (Miss. 1992)

Sanction: Resignation approved - 12/31/1992

Disposition: The Supreme Court granted final approval of the Agreed Statement of Facts and Recommendation, wherein the Respondent agreed that he will not serve in a judicial office, file to run for future judicial office, or file a certificate with the Supreme Court for designation as a senior Judge. Any violation of the Agreed Statement shall constitute a violation of the Court's order and shall result in the Mississippi Supreme Court entering an Order of Removal from judicial office with all the consequences provided by Section 177A of the Mississippi Constitution of 1890 and the laws of Mississippi.

31. Miss. Comm'n of Judicial Performance v. Chinn, 611 So.2d 849 (Miss. 1992)

Sanction: Removal - 8/05/1992

Disposition: The Supreme Court held that ticket fixing, failure to sentence criminals in accordance with statute, dismissal of misdemeanor cases not in accordance with statute, and interference with rotation cases assigned to other judges in attempt to influence other judges, warrants removal from office of justice court judge.

32. Miss. Comm'n on Judicial Performance v. Gunn, 614 So.2d 387 (Miss. 1993)

Sanction: Public Reprimand and \$400 fine - 2/11/1993

Disposition: The Supreme Court held that ticket fixing, ex parte communications with caller asking to speak with judge concerning ticket, and actions in and around courtroom warrant public reprimand and fine of \$400.

33. Miss. Comm'n on Judicial Performance v. A Justice Court Judge, 623 So.2d 1022 (Miss. 1993)

Sanction: Denied Petition for Interim Suspension - 9/02/1993

Disposition: The Supreme Court denied without prejudice the petition of the Commission on Judicial Performance to suspend a justice court judge pending inquiry into the formal complaint filed against him.

34. Miss. Comm'n on Judicial Performance v. Cantrell, 624 So.2d 94 (Miss. 1993)

Sanction: Public Reprimand - 9/16/1993

Disposition: The Supreme Court held that a public reprimand of justice court judge is warranted where judge fails to pay hospital account in belief he is covered by insurance and issues arrest warrant in dispute between car dealer and customer over sale or trade of car and tells customer to go down to police station and make bond if matter is not settled.

35. Miss. Comm'n on Judicial Performance v. Ishee, 627 So.2d 283 (Miss. 1993)

Sanction: Public Reprimand and \$5,600 fine - 9/02/1993

Disposition: The Supreme Court held that failure to resign from judicial office while seeking election to nonjudicial office of circuit clerk warrants public reprimand and fine.

36. Miss. Comm'n on Judicial Performance v. Felder, 629 So.2d 618 (Miss. 1993)

Sanction: Public Reprimand and \$250 fine - 12/23/1993 (No Published Opinion)

Disposition: The Supreme Court affirmed the Commission's Recommendation.

37. Miss. Comm'n on Judicial Performance v. Franklin, 630 So.2d 995 (Miss. 1994)

Sanction: Count 1 - Public Reprimand; Count 2 - Private Reprimand; Count 3 - Public Reprimand and \$300 fine - 1/13/1994 (No Published Opinion)

Disposition: The Supreme Court affirmed the Commission's Findings of Fact and Recommendations.

38. In re Grant, 631 So.2d 758 (Miss. 1994)

Sanction: Suspension - 1/27/1994

Disposition: The Supreme Court held that there was a conflict of interest in a single person serving as mayor and as judge, and that conflict had potential of bringing judicial office into disrepute.

39. Miss. Comm'n on Judicial Performance v. Vess, 637 So.2d 882 (Miss. 1994)

Sanction: Public Reprimand and \$100 fine - 6/02/1994 (No Published Opinion)

Disposition: The Supreme Court affirmed the Commission's Recommendation for a public reprimand and fine of \$100.

40. Miss. Comm'n on Judicial Performance v. Underwood, 644 So.2d 458 (Miss. 1994).

Sanction: Public Reprimand and \$250 fine - 10/20/1994

Disposition: The Supreme Court held that altering final judgment on own volition because of ex parte communications warrants public reprimand and \$250 fine.

41. Miss. Comm'n on Judicial Performance v. Peyton, 645 So.2d 954 (Miss. 1994)

Sanction: 15 day suspension with pay, \$1,000 fine, and cost - 11/17/1994

Disposition: The Supreme Court held that judicial misconduct in dismissing burglary charges pursuant to ex parte communications with defendant and defendant's aunt to effect that complainant desires to drop charges, aggravated by prior discipline involving political activity and attempting to have another justice court judge dismiss person's traffic violation, warrants imposition of \$1,000 fine and 15 day suspension with pay.

42. Miss. Comm'n on Judicial Performance v. Atkinson, 645 So.2d 1331 (Miss. 1994)

Sanction: Public Reprimand and cost - 12/01/1994

Disposition: The Supreme Court held that public reprimand is warranted for setting accused's bail while serving as municipal court judge and thereafter seeking to reduce bail while acting as practicing attorney representing accused.

43. Miss. Comm'n on Judicial Performance v. Hartzog, 646 So.2d 1319 (Miss. 1994)

Sanction: Public Reprimand and cost - 12/15/1994

Disposition: The Supreme Court held that: (1) conduct of justice court judge in notarizing deed with false acknowledgment, and in entering orders in cases not pending before judge's court, constitutes abuse of authority, and (2) such conduct, as mitigated by no prior allegations of misconduct, no personal benefit, and filing of memorandum of understanding with Commission with regard to future conduct, warrants public reprimand.

44. Miss. Comm'n on Judicial Performance v. Milling, 651 So.2d 531 (Miss. 1995)

Sanction: Removal - 2/23/1995

Disposition: The Supreme Court held that: (1) conduct of judge in making conscious decision to become socially involved with person who appears in her court as defendant and who judge knows is fugitive from another state and participating in fugitive's criminal case in another state after extradition warrants removal of judge from office, and (2) actions warranting removal, coupled with breach of memorandum of understanding with Commission under which judge agreed to resign, warrants imposition of fine for any salary judge may have received after date on which judge had agreed to resign.

45. Miss. Comm'n on Judicial Performance v. White, 660 So.2d 226 (Miss. 1995)

Sanction: Public Reprimand and \$100 cost - 8/24/1995 (No Published Opinion)

Disposition: The Supreme Court granted the Joint Motion for Approval of Recommendations filed by the Commission



46. Miss. Comm'n on Judicial Performance v. Bowen, 662 So.2d 551 (Miss. 1995)

Sanction: Public Reprimand, \$1,450 fine, and cost - 8/03/1995

Dispositions: The Supreme Court held that public reprimand and \$1,450 fine were warranted for judge's dismissal of speeding and traffic tickets and ex parte communication with defendants.

47. Miss. Comm'n on Judicial Performance v. Jenkins, 677 So.2d 171 (Miss. 1996)

Sanction: Public Reprimand - 1/18/1996 (No Published Opinion)

Disposition: The Supreme Court granted the Joint Motion for Approval of Recommendation filed by the Mississippi Commission on Judicial Performance. The Commission found that the judge used his judicial office to address rumors about his relationship with a litigant, including the improper use of the court's subpoena power to compel the attendance of non-parties to answer questions about these rumors.

48. Miss. Comm'n on Judicial Performance v. Dodds, 680 So.2d 180 (Miss. 1996)

Sanction: Removal - 8/08/1996

Disposition: The Supreme Court held that: (1) evidence supported finding that judge entered order without authority, improperly handled driving under the influence (DUI) case, accepted money without authority, executed judgment without authority, engaged in ticket fixing, engaged in ex parte communications and obstructed judicial process, but (2) judge did not interfere with rotation of cases or attempt to influence another judge. The Supreme Court further held that Voting Rights Act preclearance requirement did not apply to constitutional provision establishing Commission.

49. Miss. Comm'n on Judicial Performance v. Haltom, 681 So.2d 1332 (Miss. 1996)

Sanction: Public Reprimand and \$4,932.68 fine - 9/26/1996

Disposition: The Supreme Court held that: (1) municipal court judge who did not resign from office once he became candidate for Board of Supervisors position violated judicial canon requiring judge to resign his office when he becomes candidate in general election for nonjudicial office, and (2) judge would be publicly reprimanded and fined \$4,932.68, the amount earned after Commission on Judicial Performance replied to judge's inquiry as to whether he was required to resign.

50. Miss. Comm'n on Judicial Performance v. Fletcher, 686 So.2d 1075 (Miss. 1996)

Sanction: Public Reprimand and costs - 12/19/1996

Dispositions: The Supreme Court held that conduct of judge, who incarcerated defendant without notice or hearing and sentenced another defendant to more jail time than allowed by law and found same defendant guilty of perjury based upon judge's own affidavit and warrant, constituted willful misconduct in office and conduct prejudicial to the

administration of justice which brought judicial office into disrepute, and warranted public reprimand and assessment of costs.

51. Miss. Comm'n on Judicial Performance v. Whitten, 687 So.2d 744 (Miss. 1997)

Sanction: Public Reprimand , \$2,500 fine, and costs - 1/30/1997

Disposition: The Supreme Court held that conduct of judge in pointing loaded weapon at individuals who were believed to be trespassing on neighboring land, firing shots at tires of individuals' vehicle, and placing handcuffs on and temporarily detaining individuals constituted judicial misconduct warranting public reprimand of judge and \$2,500 fine.

52. Miss. Comm'n on Judicial Performance v. Emmanuel, 688 So.2d 222 (Miss. 1996)

Sanction: Public Reprimand, \$2,628.00 fine, and costs - 12/19/1996

Dispositions: The Supreme Court held that reducing three citations for driving under influence (DUI) in violation of statute precluding such reductions, assessing costs of fines in excess of statutory maximum in six criminal cases, failing to require affidavits in four criminal cases, issuing orders without authority, and allowing cameras in courtroom warranted public reprimand, imposition of fine of \$2,628 and assessment of costs.

53. Miss. Comm'n on Judicial Performance v. Russell, 691 So.2d 929 (Miss. 1997)

Sanction: Public Reprimand, \$1,500 fine, and costs - 2/06/1997

Disposition: The Supreme Court held that: (1) Commission had jurisdiction over allegations that judge released state prisoners from corrections department without authority to do so; (2) judge acted outside of his legal authority in releasing prisoners; (3) judge's improper releasing of prisoners and engaging in ex parte communications warranted public reprimand and fine; (4) constitutional provision authorizing sanctions against judges for willful misconduct was not unconstitutionally vague; (5) circuit court judges do not have inherent authority over sentencing matters; (6) judicial discipline proceedings are not criminal in nature; (7) Commission's composition did not violate due process; (8) judges are subject to discipline despite potential effects on independence of judiciary; and (9) judicial misconduct proceedings are not subject to statute of limitations.

54. Miss. Comm'n on Judicial Performance v. Anderson, 691 So.2d 1019 (Miss. 1996)

Sanction: Public Reprimand, \$500 fine, and costs - 8/15/1996 (No Published Opinion)

Disposition: The Supreme Court affirmed the Commission's Findings.

55. Miss. Comm'n on Judicial Performance v. Evans, 691 So.2d 1019 (Miss. 1996)

Sanction: Public Reprimand and costs - 8/15/1996 (No Published Opinion)

Disposition: The Supreme Court affirmed the Commission's Findings.

56. Miss. Comm'n on Judicial Performance v. Vess, 692 So.2d 80 (Miss. 1997)

Sanction: Public Reprimand and costs - 4/17/1997

Disposition: The Supreme Court held that judge's ex parte communications with defendant, defendant's mother, arresting officer, and prosecuting attorney, and judge's interference with defendant's bonding process, warranted public reprimand and taxation of costs.

57. Miss. Comm'n on Judicial Performance v. McRae, 700 So.2d 1331 (Miss.Const.Trib. 1997)

Sanction: Public Censure - 8/27/1997

Disposition: The Supreme Court, Constitutional Tribunal held that, although Supreme Court justice's conduct was not done while he was carrying out his official duties, public censure was appropriate sanction for conduct prejudicial to administration of justice which brings judicial office into disrepute.

58. Miss. Comm'n on Judicial Performance v. Franklin, 704 So.2d 89 (Miss. 1997)

Sanction: Public Reprimand, 30 day suspension without pay, and \$1,500 fine - 10/09/1997

Disposition: The Supreme Court held that judge's conduct, including becoming involved in dispute between friend/distant relative and third party, writing insufficient funds check, and failing to file reports of campaign contributions or expenditures as required by law, was misconduct warranting public reprimand, fine of \$1,500, and suspension without pay for 30 days.

59. Miss. Comm'n on Judicial Performance v. Fisher, 706 So.2d 1107 (Miss. 1998)

Sanction: Public Reprimand and costs - 3/12/1998

Disposition: The Supreme Court agreed with the parties that the sanction of a public reprimand is an appropriate one under the facts, justice court judge attempted to limit a litigant's rights to execute upon a judgment, then vacated the judgment without notice or hearing.

60. Miss. Comm'n on Judicial Performance v. Sanders, 708 So.2d 866 (Miss. 1998)

Sanction: Public Reprimand, \$1,500 fine, and costs - 2/26/1998

Disposition: The Supreme Court held that public reprimand and fine of \$1,500 were warranted for judge's actions of suspending sentence of former client and placing second inmate on probation after his conviction and sentence had been affirmed by Court of Appeals.

61. Miss. Comm'n on Judicial Performance v. Guest, 717 So.2d 325 (Miss. 1998)

Sanction: 90 day suspension without pay, \$1,500 fine, and \$839.65 costs - 7/23/1998

Disposition: The Supreme Court held that judge's conduct in assaulting litigant in crowded courtroom and directing profane language at defendant during altercation warranted suspension for 90 days and payment of fine

62. Miss. Comm'n on Judicial Performance v. Thomas, 722 So.2d 629 (Miss. 1998)

Sanction: Public Reprimand - 10/22/1998

Disposition: The Supreme Court held that judge's conduct in driving under the influence of intoxicating liquor warranted public, not private, reprimand.

63. Miss. Comm'n on Judicial Performance v. Russell, 724 So.2d 873 (Miss. 1998)

Sanction: Granted Petition for Writ of Extraordinary Relief - 12/3/1998

Disposition: The Commission filed petition for writ of extraordinary relief, seeking to recover costs from judge who was the subject of the proceedings. The Supreme Court held that judge was liable for costs in the amount of \$3,547.24.

64. Miss. Comm'n on Judicial Performance v. Jenkins, 725 So.2d 162 (Miss. 1998)

Sanction: Removal - 9/10/1998

Disposition: The Supreme Court held that removal from office was warranted for judge's willful misconduct in the performance of his judicial duties. Removal from office was warranted for judge's actions of assisting landfill management corporation in locating barge landing site for landfill, appearing on corporation's behalf before county board of supervisors, involving himself in lease negotiations between corporation and another party, allowing corporation to intervene in will contest in which judge presided as Chancellor, engaging in ex parte communications with parties, and forming another corporation and entering into business relationship with landfill management corporation while still acting as Chancellor in will contest.

65. Miss. Comm'n on Judicial Performance v. Spencer, 725 So.2d 171 (Miss. 1998)

Sanction: Removal - 9/17/1998

Disposition: The Supreme Court held that: (1) as matter of first impression, justice court judge's continuing pattern of offensive sexual comments was willful misconduct in office; (2) removing judge was warranted for ex parte communications, demeanor and disrespect for litigants and witnesses, failure to sign cases and act on affidavits, and sexual comments; (3) failure of Commission on Judicial Performance to file findings within thirty days after hearing did not require Supreme Court to strike findings of fact and conclusions of law; and (4) judge had no due process right to appear in person before the full Commission.

66. Miss. Comm'n on Judicial Performance v. R.R., 732 So.2d 224 (Miss. 1999)

Sanction: Private Reprimand and costs - 2/11/1999

Disposition: The Supreme Court held that private reprimand was warranted for judge's comments to clerk that clerk "checked out" all the men that came into office and that clerk also "checked out" judge.

67. Miss. Comm'n on Judicial Performance v. Jones, 735 So.2d 385 (Miss. 1999)

Sanction: Public Reprimand, \$1,500 fine, and \$1,485.99 costs - 4/15/1999

Disposition: The Supreme Court held that illegally reducing charges of driving under the influence of alcohol (DUI) to disorderly conduct or first offenses was “willful misconduct in office” and warranted public reprimand and fine of \$1,500.

68. Miss. Comm’n on Judicial Performance v. Sanders, 749 So.2d 1062 (Miss. 1999)

Sanction: Public Reprimand and \$2,156.80 - 12/02/1999

Disposition: The Supreme Court held that public reprimand and assessment of court costs were warranted for circuit judge’s abuse of court’s contempt powers against circuit clerk and for judge’s unlawful expungement of felony convictions of two criminal defendants.

69. Miss. Comm’n on Judicial Performance v. Judge, 755 So.2d 1062 (Miss. 2000)

Sanction: Private Reprimand and \$285.65 costs - 2/03/2000

Disposition: The Supreme Court held that judge who ordered probationers to marry, and who set bond for his own client, committed willful misconduct, and private reprimand was appropriate sanction.

70. Miss. Comm’n on Judicial Performance v. Byers, 757 So.2d 961 (Miss. 2000)

Sanction: Public Reprimand, \$1,500 fine, and \$2,023.59 costs - 2/17/2000

Disposition: The Supreme Court held that public reprimand was warranted for judge who improperly sentenced defendant under wrong statute, who improperly extended defendant’s probation, and who abused contempt powers; judge had already been defeated in an election after complaint had been filed.

71. Miss. Comm’n on Judicial Performance v. Brown, 761 So.2d 182 (Miss. 2000)

Sanction: Public Reprimand, \$500 fine, and \$407.75 costs - 6/08/2000

Disposition: The Supreme Court held that public reprimand and fine were warranted for judge who committed judicial misconduct by making ex parte contacts with judge assigned to his son’s driving under the influence (DUI) case, by contacting arresting officer, and by contacting that officer’s supervisor.

72. Miss. Comm’n on Judicial Performance v. Bishop, 761 So.2d 195 (Miss. 2000)

Sanction: 90 day suspension without pay, \$1,500 fine, and \$1,931.46 costs - 6/08/2000

Disposition: The Supreme Court held that: (1) substantial evidence supported finding that judge engaged in willful misconduct in violation of Code, and (2) 90-day suspension from office, \$1,500 fine, and assignment of costs was warranted. Jailer, pursuant to agreement with judge, parked vehicle across from house of minor who made allegations against judge in order to intimidate minor and her family and judge interjected himself in meeting

between student and principal and used his position as judge to intimidate student.

73. Miss. Comm'n on Judicial Performance v. Boykin, 763 So.2d 872 (Miss. 2000)

Sanction: Public Reprimand, \$861.50 fine, and costs - 7/20/2000

Disposition: The Supreme Court held that ticket-fixing of traffic tickets and holding ex parte communications with defendants warranted public reprimand and fine of \$861.50.

74. Miss. Comm'n on Judicial Performance v. Neal, 774 So.2d 414 (Miss. 2000)

Sanction: Public Reprimand and \$266.20 costs- 12/21/2000

Disposition: The Supreme Court held that: (1) justice court judge's conduct, in dismissing marijuana possession charge, setting aside dismissal, retrying charge, and trying separate perjury offense which led to dismissal was willful misconduct and conduct prejudicial to the administration of justice which brought judicial office into disrepute, and (2) public reprimand and assessment of \$266.20 in costs was warranted sanction.

75. Miss. Comm'n on Judicial Performance v. Carr, 786 So.2d 1055 (Miss. 2001)

Sanction: Public Reprimand and \$100 costs - 6/14/2001

Disposition: The Supreme Court held that: (1) judge, in allowing arraignment and initial appearance proceedings to be photographed and videotaped by representatives of news media, committed willful misconduct prejudicial to administration of justice which brought judicial office into disrepute; and (2) public reprimand and assessment of \$100 costs was appropriate sanction.

76. Miss. Comm'n on Judicial Performance v. Willard, 788 So.2d 736 (Miss. 2001)

Sanction: Removal and \$9,084.66 costs - 6/14/2001

Disposition: The Supreme Court held that: (1) use of a three-judge panel, rather than the full Commission on Judicial Performance, to make findings and recommendations to the Supreme Court was not unauthorized; (2) multiple roles of Commission both as investigator and prosecutor did not violate substantive due process; and (3) judge's systematic pattern of ex parte communications, misuse of contempt powers, abuse of process and partiality, and lack of integrity and candor throughout investigatory process warranted judge's removal from office and assessment of costs.

77. Miss. Comm'n on Judicial Performance v. Warren, 791 So.2d 194 (Miss. 2001)

Sanction: Public Reprimand, \$765 fine, and \$100 costs - 7/19/2001

Disposition: The Supreme Court held that: (1) judge's conduct in engaging in ex parte communications and dismissing speeding tickets based on those communications without notice to the ticketing officer and without a hearing constituted willful misconduct in office and conduct prejudicial to the administration of justice, and (2) appropriate

sanction for such misconduct was public reprimand, along with a fine of \$765 and assessment of court costs.

78. Miss. Comm'n on Judicial Performance v. Wells, 794 So.2d 1030 (Miss. 2001)

Sanction: Public Reprimand and \$100 costs - 7/20/2001

Disposition: The Supreme Court held that judge's conduct in finding a defendant guilty of disturbing the peace and simple assault based solely on the affidavits, without affording the defendant the opportunity to defend herself, amounted to willful misconduct in office and conduct prejudicial to the administration of justice, bringing the judicial office into disrepute, and warranted public reprimand and assessment of costs.

79. Miss. Comm'n on Judicial Performance v. Gunter, 797 So.2d 988 (Miss. 2001)

Sanction: Public Reprimand, \$1,500 fine, and \$100 costs - 10/11/2001

Disposition: The Supreme Court held that judge's admitted misuse of his judicial position, intemperate treatment of minor defendant, and abuse of contempt power with respect to minor's mother warranted public reprimand, \$1,500 fine, and assessment of costs.

80. Miss. Comm'n on Judicial Performance v. Lewis, 801 So.2d 704 (Miss. 2001)

Sanction: Public Reprimand and \$572.01 costs - 12/13/2001

Disposition: The Supreme Court held that public reprimand was appropriate sanction for justice court judge who engaged in ex parte communications with those involved in liquor-law charges before him, remanded charges to the file in liquor-law cases placed on other judge's dockets, required those before him to pay court costs or forfeit confiscated alcohol prior to final disposition of cases, and continued hearing cases involving Alcoholic Beverage Control (ABC) Division of State Tax Commission during investigation by Commission on Judicial Performance.

81. Miss. Comm'n on Judicial Performance v. Peyton, 812 So.2d 204 (Miss. 2002)

Sanction: 30 day suspension without pay and \$100 costs - 3/28/2002

Disposition: The Supreme Court held that justice court judge's violation of judicial canons requiring judge to uphold integrity of judiciary, avoid appearance of impropriety, and perform duties impartially warranted sanction of suspension without pay for 30 days and assessment of \$100 in court cost.

82. Miss. Comm'n on Judicial Performance v. Hartzog, 822 So.2d 941 (Miss. 2002)

Sanction: Suspension with pay, pending two felony indictments - 7/25/2002

Disposition: The Supreme Court held that: (1) allegations in criminal indictments charging judge with felony crimes of false pretense and attempted false pretense, if true, would constitute violations of Canons of Code of Judicial Conduct providing that judge shall uphold integrity of judiciary and should avoid impropriety, and (2) as matter of first impression,

temporary suspension with pay was appropriate for judge pending resolution of two felony indictments against him.

83. Miss. Comm'n on Judicial Performance v. Lewis, 830 So.2d 1138 (Miss. 2002)

Sanction: Public Reprimand and \$496.40 costs- 8/08/2002

Disposition: The Supreme Court held that: (1) Commission had jurisdiction to hear complaint; (2) judge was required to return handgun to defendant; (3) judge brought judicial office into disrepute; and (4) public reprimand was warranted;

84. Miss. Comm'n on Judicial Performance v. Judge S.S., 834 So.2d 31 (Miss. 2003)

Sanction: Private Reprimand and \$718.40 costs - 1/02/2003

Disposition: The Supreme Court held that: (1) judge's participation in drafting petition against law enforcement officer constituted willful misconduct in office and conduct prejudicial to the administration of justice bringing the judicial office into disrepute, and (2) private, rather than public reprimand was appropriate sanction.

85. Miss. Comm'n on Judicial Performance v. Blakeney, 848 So.2d 824 (Miss. 2003)

Sanction: Public Reprimand and \$663.53 costs - 6/19/2003

Disposition: The Supreme Court held that public reprimand and costs of \$663.53 were warranted as sanction for judge's ex parte communications with officer to secure dismissal of charges.

86. Miss. Comm'n on Judicial Performance v. Perdue, 853 So.2d 85 (Miss. 2003)

Sanction: 30 day suspension without pay and \$888.22 costs - 8/21/2003

Disposition: The Supreme Court held that suspension for 30 days, without pay, was appropriate sanction for conduct of judge/referee, relating to ex parte order granting temporary custody of child to former husband.

87. Miss. Comm'n on Judicial Performance v. Teel, 863 So.2d 973 (Miss. 2004)

Sanction: Public Reprimand and \$440.69 costs - 1/15/2004

Disposition: The Supreme Court held that: (1) former judge's actions constituted willful misconduct and conduct prejudicial to the administration of justice which brought the judicial office into disrepute; (2) public reprimand of former judge was warranted; and (3) former judge was not required to pay costs associated with inquiry. Former judge filed for reimbursement for bills that he never paid, when former judge was reimbursed he deposited the funds into his personal checking account, and he did not pay vendors for outstanding bills until he was notified of an investigation by the state auditor and attorney general into his payment practices.

88. Miss. Comm'n on Judicial Performance v. McPhail, 874 So.2d 441 (Miss. 2004)



Sanction: Public Reprimand, 30 day suspension without pay and \$401.04 - 5/27/2004

Disposition: The Supreme Court held that public reprimand, plus suspension for 30 days without pay, was warranted as disciplinary sanction for justice court judge's conduct relating to the dating of a judgment, entering orders or judgments without notice to a party, and failing to timely render a decision in a criminal case.

89. Miss. Comm'n on Judicial Performance v. U.U., 875 So.2d 1083 (Miss. 2004)

Sanction: Private Reprimand and \$953.95 - 6/24/2004

Disposition: The Supreme Court held that: (1) pattern of delays in rendering opinions and orders was not willful misconduct; (2) pattern of delays was prejudicial to administration of justice; (3) pattern of delays violated judicial canon requiring judge to dispose promptly of court business; and (4) pattern of delays warranted private reprimand.

90. Miss. Comm'n on Judicial Performance v. Osborne, 876 So.2d 324 (Miss. 2004)

Sanction: Reinstatement, Public Reprimand, and \$ 1,150.06 costs - 7/01/2004

Disposition: The Supreme Court held that: (1) judge's conduct in filing new complaints within the six month period for a judge to "wind down" his or her law practice after being appointed to the bench constituted practicing law; (2) judge's conduct in filing new complaints for clients after judge was appointed to the bench did not warrant removal of judge from the bench; and (3) public reprimand of judge was warranted.

91. Miss. Comm'n on Judicial Performance v. Wilkerson, 876 So.2d 1006 (Miss. 2004)

Sanction: Complaint dismissed with prejudice - 7/01/2004

Disposition: The Supreme Court held that: (1) whether state could sanction judge for extra-judicial statements on gay rights was subject to strict scrutiny, and (2) judge could not be sanctioned under Code of Judicial Conduct for extrajudicial anti-gay statements.

92. Miss. Comm'n on Judicial Performance v. Williams, 880 So.2d 343 (Miss. 2004)

Sanction: Public Reprimand, \$228.50 fine, and \$100 costs - 8/19/2004

Disposition: The Supreme Court held that: (1) Supreme Court would consider the additional mitigating factors which judge requested be considered by Commission, but which had not been included in agreed statement of facts, and (2) Supreme Court would accept Commission's proposed disciplinary recommendation consisting of imposition of a public reprimand, a \$228.50 fine, and costs of \$100 for justice court judge who "fixed" three speeding tickets.

93. Miss. Comm'n on Judicial Performance v. Sheffield, 883 So.2d 546 (Miss. 2004)

Sanction: Public Reprimand, \$192 fine, and \$100 costs - 9/16/2004

Disposition: The Supreme Court held that judge's conduct of suspending fines in 13 cases and

suspending state assessments in four cases in response to county's lack of funding for court bailiff, which constituted willful misconduct prejudicial to the administration of justice which brought the judicial office into disrepute, warranted public reprimand, imposition of \$192 fine, and assessment of \$100 costs.

94. Miss. Comm'n on Judicial Performance v. Gibson, 883 So.2d 1155 (Miss. 2004)

Sanction: Public Reprimand, \$330 fine, and \$100 costs - 9/16/2004

Disposition: The Supreme Court held that: (1) municipal court judge's setting aside judgments and fines imposed by another judge, without any notice or hearing, constituted willful misconduct in office prejudicial to the administration of justice that brought judicial office into disrepute, and (2) public reprimand, plus costs of proceeding and fine, was appropriate sanction for judicial misconduct.

95. Miss. Comm'n on Judicial Performance v. Hartzog, 904 So.2d 981 (Miss. 2004)

Sanction: Public Reprimand, \$4,056.30 fine, and \$100 costs - 11/18/2004

Disposition: The Supreme Court held that public reprimand of judge, plus the assessment of a fine of \$4,056.30 and costs of \$100.00, was warranted. Justice court judge's conduct in accompanying stranger and making purchases of multiple new vehicles with checks drawn from a closed account constituted violations of the state constitution that prohibited judges from engaging in willful misconduct in office or engaging in conduct that was prejudicial to the administration of justice which brought the judicial office into disrepute.

96. Miss. Comm'n on Judicial Performance v. Blakeney, 905 So.2d 521 (Miss. 2004)

Sanction: Private Reprimand and \$495 costs - 12/16/2004

Disposition: The Supreme Court held that judge's misconduct in allowing photograph to be taken during proceeding warranted a private reprimand.

97. Miss. Comm'n on Judicial Performance v. Lewis, 913 So.2d 266 (Miss. 2005)

Sanction: Removal and \$2,080.23 - 3/31/2005

Disposition: The Supreme Court held that judge's repeated ex parte communications with and sexual advances toward litigants warranted his removal from office.

98. Miss. Comm'n on Judicial Performance v. Brown, 918 So.2d 1247 (Miss. 2005)

Sanction: Removal and \$1,336.79 - 6/30/2005

Disposition: The Supreme Court held that: (1) judge's attempt to use his position to obtain favorable treatment for, and obstruct prosecution of charges against, his son, who had been charged with assaulting his now ex-wife, violated judicial canon requiring judge's to avoid impropriety and appearance of impropriety; (2) judge's conduct violated judicial canon

requiring judge to be faithful to the law and maintain professional competence in it; (3) judge's conduct violated judicial canon governing judge's administrative responsibilities, and constituted encouraging, if not demanding, that others violate their own respective codes of conduct; (4) judge's conduct constituted willful misconduct in office and conduct prejudicial to administration of justice; and (5) removal of judge from office was appropriate sanction for judge's willful misconduct in office prejudicial to administration of justice.

99. Miss. Comm'n on Judicial Performance v. Martin, 921 So.2d 1258 (Miss. 2005)

Sanction: Dismissed with prejudice - 12/15/2005

Disposition: The Supreme Court held that error of justice court judge in denying bail on two separate occasions, in violation of state constitutional provision under which only county judges and circuit judges had authority to deny bail, did not violate Code of Judicial Conduct.

100. Miss. Comm'n on Judicial Performance v. T.T., 922 So.2d 781 (Miss. 2006)

Sanction: Private Reprimand and \$598.98 costs - 3/02/2006

Disposition: The Supreme Court held that: (1) judge's acceptance of plea agreement that did not comply with statute imposing minimum mandatory penalty constituted misconduct, and (2) misconduct warranted private, but not public, reprimand.

101. Miss. Comm'n on Judicial Performance v. Cole, 932 So.2d 9 (Miss. 2006)

Sanction: Public Reprimand and \$100 costs - 6/08/2006

Disposition: The Supreme Court held that: (1) Justice court judge's conduct in reinstating his grandson's driver's license and making attempts to have grandson placed in county detention facility rather than state facility violated provisions of Code of Judicial Conduct, and (2) public reprimand, plus the assessment of costs of \$100.00, was warranted.

102. Miss. Comm'n on Judicial Performance v. Cowart, 936 So.2d 343 (Miss. 2006)

Sanction: Public Reprimand, 30 day suspension without pay, and \$100 costs - 8/17/2006

Disposition: The Supreme Court held that: (1) judge's conduct violated Code of Judicial Conduct, and (2) public reprimand and suspension from office for a period of thirty days without pay warranted as discipline. Justice court judge's conduct in engaging in ex parte communications with a litigant, presiding over a case after acknowledging a conflict of interest, assisting litigants in the dismissing of tickets, handling money due for fines owed, and disposing of traffic violations without hearing or notice to the issuing officer constituted willful misconduct in office and conduct prejudicial to the administration of justice which brings the judicial office into disrepute in violation of Code of Judicial Conduct.

103. Miss. Comm'n on Judicial Performance v. Britton, 936 So.2d 898 (Miss. 2006)

Sanction: Public Reprimand, 30 day suspension without pay, and \$1,118.37 costs - 8/24/2006

Disposition: The Supreme Court held that: (1) judge's ex parte communications with litigants in several cases and setting aside default judgment entered by another judge after ex parte communication violated canons of Code of Judicial Conduct, and (2) public reprimand, suspension for 30 days without pay, and payment of costs, was appropriate sanction for violations.

104. Miss. Comm'n on Judicial Performance v. Sanford, 941 So.2d 209 (Miss. 2006)

Sanction: Public Reprimand, 30 day suspension without pay, and \$100 costs - 10/26/2006

Disposition: The Supreme Court held that public reprimand along with thirty-day suspension and assessment of court costs of \$100.00 was appropriate sanction for judge who asked county sheriff to approach arresting officer and ask arresting officer to be late for court so that driving under the influence (DUI) charges against defendant could be dismissed.

105. Miss. Comm'n on Judicial Performance v. Roberts, 952 So.2d 934 (Miss. 2007)

Sanction: Public Reprimand, 30 day suspension without pay, \$1,500 fine, and \$100 costs - 3/29/2007

Disposition: The Supreme Court held that public reprimand, suspension for 30 days without pay, \$1,500 fine, and assessment of \$100 costs, constituted appropriate discipline for justice court judge's multiple acts of misconduct. Justice court judge's misconduct included prohibiting a defendant from defending himself against trespassing charge filed by his ex-wife, acting sua sponte in response to media coverage by issuing warrant to re-arrest murder defendant who had posted bond which had been set by the judge, attempting sua sponte to revoke a defendant's probation without filing any written petition or affidavit, ordering defendant in driving under the influence (DUI) case not to drive under the influence for two years after finding defendant not guilty of DUI, issuing arrest warrants without just cause on two separate occasions to have attorneys jailed, and dismissing cases without notice, resulting in previously assessed fines and other assessments going uncollected.

106. Miss. Comm'n on Judicial Performance v. Gordon, 955 So.2d 300 (Miss. 2007)

Sanction: Public Reprimand, 30 day suspension without pay, and \$100 costs - 5/03/2007

Disposition: The Supreme Court held that municipal court judge's involving himself in ticket fixing and his ex parte communications with some defendants warranted public reprimand and 30-day suspension.

107. Miss. Comm'n on Judicial Performance v. Westfaul, 962 So.2d 555 (Miss. 2007)

Sanction: Public Reprimand and \$100 costs - 8/16/2007

Disposition: The Supreme Court held that public reprimand and fine of \$100 were appropriate sanctions for judge. Municipal judge was convicted of driving under the influence; by accepting responsibility for his actions, judge avoided a situation that could have further

eroded the public's confidence in the bench, and as a result of judge's offense, no one was physically harmed, nor was there any property damage, this was an isolated incident, judge's conduct did not willfully subvert justice and did not involve moral turpitude, judge had no prior disciplinary history, and he self-reported this violation to the Commission on Judicial Performance.

108. Miss. Comm'n on Judicial Performance v. Fowlkes, 967 So.2d 12 (Miss. 2007)

Sanction: Public Reprimand, 30 day suspension without pay, and \$100 costs - 10/18/2007

Disposition: The Supreme Court held that appropriate sanction for judge's misconduct in holding ex parte conversations with litigant and giving her legal advice was public reprimand and 30 day suspension.

109. Miss. Comm'n on Judicial Performance v. Thompson, 972 So.2d 582 (Miss. 2008)

Sanction: Public Reprimand and \$100 costs - 1/17/2008

Disposition: The Supreme Court held that: (1) Justice Court judge's conduct of interjecting himself into a case from which he had already in essence "recused" himself by informing other judge that he wanted to talk to him before he signed an arrest warrant, of angrily leaving other judge's officer after judge refused, and of telling deputy clerk not to issue the warrant after other judge had executed it, violated provisions of Code of Judicial Conduct and provision of the state constitution that prohibited judges from engaging in willful misconduct in office or engaging in conduct that was prejudicial to the administration of justice which brought the judicial office into disrepute, and (2) public reprimand, plus the assessment of costs in amount of \$100, was warranted.

110. Miss. Comm'n on Judicial Performance v. Boland, 975 So.2d 882 (Miss. 2008)

Sanction: Public Reprimand and \$4,108.42 costs - 2/28/2008

Disposition: The Supreme Court held that: (1) Commission properly restricted judge's cross-examination of witness; (2) Commission properly excluded testimony of three of judge's witnesses; (3) comments made by judge during national drug court seminar break-out session did not constitute a matter of legitimate public concern, and thus were not protected by the First Amendment; (4) judge's conduct of making statement that was derogatory in nature to African-Americans in her community violated provisions of state constitution and Code of Judicial Conduct

111. Miss. Comm'n on Judicial Performance v. Osborne, 977 So.2d 314 (Miss. 2008)

Sanction: 180 day suspension without pay and \$2,525.08 costs - 1/31/2008

Disposition: The Supreme Court held that: (1) judge's conduct in response to the repossession of an automobile jointly owned by his wife and mother-in-law violated Code of Judicial Conduct and the state constitution that prohibited judges from engaging in conduct that was prejudicial to the administration of justice which brought the judicial office into disrepute, and (2) suspension of judge from office for 180 days, without pay, and the assessment of the costs of the judicial disciplinary proceedings, was appropriate sanction.

112. Miss. Comm'n on Judicial Performance v. Sutton, 985 So.2d 322 (Miss. 2008)

Sanction: Public Reprimand and \$1,900.89 costs - 6/05/2008

Disposition: The Supreme Court held that: (1) evidence supported finding that judge engaged in willful misconduct in office and conduct prejudicial to administration of justice, and (2) public reprimand and assessment of costs was appropriate sanction. Evidence that justice court judge engaged in ex parte communications with tenants who were litigants before the court, that judge issued orders, including a stay of a warrant of removal, based on information obtained from those ex parte communications, that judge held two cases in abeyance and failed to issue a final judgment, that judge failed to appear at apartment inspection which he had scheduled, and that judge had loudly and publicly chastised an attorney in open court supported finding that judge engaged in willful misconduct in office and conduct prejudicial to administration of justice, as would warrant sanctions.

113. Miss. Comm'n on Judicial Performance v. Agin, 987 So.2d 418 (Miss. 2008)

Sanction: Public Reprimand and \$100 costs - 7/31/2008

Disposition: The Supreme Court held that judge's failure timely to render opinions on cases before him warranted public reprimand.

114. Miss. Comm'n on Judicial Performance v. Carr, 990 So.2d 763 (Miss. 2008)

Sanction: Public Reprimand, 60 day suspension without pay, \$2,000 fine, and \$100 costs - 9/18/2008

Disposition: The Supreme Court held that (1) judge's actions constituted willful misconduct prejudicial to the administration of justice which brought the judicial office into disrepute, and (2) warranted public reprimand and 60 day suspension with fine. Judge's conduct in informing citizen that a warrant had been issued for her arrest for failure to return portion of iron cemetery fence to cemetery, though no warrant was actually issued, in violation of multiple judicial ethics and disciplinary rules, warranted public reprimand and 60-day suspension with fine.

115. Miss. Comm'n on Judicial Performance v. Pittman, 993 So.2d 816 (Miss. 2008)

Sanction: Public Reprimand and \$100.00 costs - 10/02/2008

Disposition: The Supreme Court held that public reprimand and assessment of costs were warranted for municipal court judge who represented a criminal defendant after he had presided over proceedings concerning the same defendant, which conduct was willful misconduct and conduct prejudicial to the administration of justice which brings the judicial office into disrepute, in violation of Canons of the Code of Judicial Conduct, and (2) public reprimand and assessment of costs was warranted.

116. Miss. Comm'n on Judicial Performance v. Martin, 995 So.2d 727 (Miss. 2008)

Sanction: Dismiss Interim Suspension as Moot - 12/04/2008

Disposition: The Supreme Court held that (1) failure of Commission to report findings of judicial misconduct and disposal of the violation by memorandum of understanding were beyond Commission's constitutional authority, and (2) contents of memorandum and fact that judge had resigned rendered previous order of suspension moot.

117. Miss. Comm'n on Judicial Performance v. Boland, 998 So.2d 380 (Miss. 2008)

Sanction: Public Reprimand, \$4,250 fine, and \$3,532.06 costs - 10/02/2008

Disposition: The Supreme Court held that: (1) judge's conduct in sentencing domestic violence defendant in excess of statutorily-authorized sentence did not constitute judicial misconduct; (2) Rules of the Commission on Judicial Performance do not allow Commission Counsel to appeal the decision of his own client; (3) judge's unauthorized imprisonment of individual who was the subject of peace bond constituted misconduct; and (4) sanction of public reprimand and fine of \$4,250 was warranted as sanction.

118. Miss. Comm'n on Judicial Performance v. Agin, 8 So.3d 866 (Miss. 2009)

Sanction: Dismiss Petition for Interim Suspension - 5/01/09

Disposition: The Supreme Court granted the Commission's Recommendation to Dismiss the Petition for Interim Suspension.

119. Miss. Comm'n on Judicial Performance v. Vess, 10 So.3d 486 (Miss. 2009)

Sanction: Public Reprimand, \$2,000 fine, and \$100 costs - 6/04/2009

Disposition: The Supreme Court held that: (1) Justice court judge's ex parte communications constituted willful misconduct in office and prejudicial to the administration of justice, which brought the judicial office into disrepute, and (2) public reprimand, plus costs of proceedings and fine, was appropriate sanction for judicial misconduct.

120. Miss. Comm'n on Judicial Performance v. Osborne, 11 So.3d 107 (Miss. 2009)

Sanction: 1 year suspension without pay and \$731.89 costs - 6/18/2009

Disposition: The Supreme Court held that: (1) judge did not violate Code of Judicial Conduct by being a member of Voters League and speaking at event on his behalf while running for re-election; (2) judge's comments during speech were not protected speech under the federal or state constitutions; and (3) judge's conduct warranted one-year suspension along with assessment of costs, even though judge had resigned overruling *Miss. Comm'n on Judicial Performance v. Boland*, 998 So.2d 380.

121. Miss. Comm'n on Judicial Performance v. Osborne, 16 So.3d 16 (Miss. 2009)

Sanction: Removal and \$1,389.69 costs - 6/18/2009

Disposition: The Supreme Court held that: (1) judge's conduct in continuing to take actions in juvenile proceedings after he had recused himself constituted willful misconduct; (2) in light of judge's history of prior sanctions, removal from office was appropriate sanction; and (3)

Supreme Court is not limited in its available constitutional sanctions against judge when the judge either resigns from office or is voted out of office by his or her constituents, and effectively removed, overruling *Miss. Comm'n on Judicial Performance v. Boland*, 998 So.2d 380.

122. Miss. Comm'n on Judicial Performance v. Agin, 17 So.3d 578 (Miss. 2009)

Sanction: Public Reprimand and \$100 costs - 9/17/09

Disposition: The Supreme Court held that: (1) judge's conduct in failing to issue a timely ruling in case constituted conduct that was prejudicial to the administration of justice; (2) judge's conduct in failing to issue a timely ruling in case violated the Code of Judicial Conduct Canons; and (3) public reprimand was warranted.

123. Miss. Comm'n on Judicial Performance v. Bradford, 18 So.2d 251 (Miss. 2009)

Sanction: Public Reprimand, 30 day suspension without pay, and \$100 costs - 10/01/2009

Disposition: The Supreme Court held that the judge's acts warranted sanctions as recommended by the Commission. The judge's acts in engaging in conduct that included ex parte communications with a litigant, acting against court rules, dismissing or taking other dispositive action without notifying prosecutor, and instructing clerk to issue warrants against two women against whom no criminal charges had been filed, warranted sanctions, as recommended by the Commission on Judicial Performance, that judge be publicly reprimanded and suspended from the office of justice court judge without pay for 30 days, and assessed costs.

124. Miss. Comm'n on Judicial Performance v. DeLaughter, 29 So.3d 750 (Miss. 2010)

Sanction: Removal, Dismissed as moot Motion to Dismiss Order of Interim Suspension, and costs - 3/04/10

Disposition: The Supreme Court held that Supreme Court could remove circuit court judge from office, as sanction for judicial misconduct and for the serious criminal acts to which judge had admitted when he had entered a negotiated guilty plea in federal court, though judge had already resigned from office and the Commission on Judicial Performance made no recommendation to the Court regarding a sanction.

125. Miss. Comm'n on Judicial Performance v. Anderson, 32 So.3d 1180 (Miss. 2010)

Sanction: Public Reprimand, 30 day suspension without pay, and \$100 costs - 4/22/2010

Disposition: The Supreme Court held that public reprimand, 30-day suspension without pay, and assessment of costs were appropriate sanctions for misconduct that included refusing to rule in certain criminal cases pending outcome of a non-issue related to Chancery Court case, issuing an arrest warrant based on ex parte communication with a litigant, and behaving with impropriety or appearance of impropriety toward litigants with cases pending in his court.

126. Miss. Comm'n on Judicial Performance v. Hartzog, 32 So.3d 1188 (Miss. 2010)



Sanction: Public Reprimand, 6 month suspension without pay, and \$1,411.55 costs - 4/22/2010

Disposition: The Supreme Court held that: (1) judge's conduct in failing to timely recuse himself, in a property eviction case in which he had an obvious conflict of interest, constituted misconduct, and (2) conduct warranted public reprimand and six month suspension from judicial office.

127. Miss. Comm'n on Judicial Performance v. DeLaughter, 35 So.3d 1208 (Miss. 2008)

Sanction: Granted Petition for Interim Suspension - 3/28/2008

Disposition: The Supreme Court held that the Petition for Interim Suspension filed by the Mississippi Commission on Judicial Performance be granted.

128. Miss. Comm'n on Judicial Performance v. Brown, 37 So.3d 14 (Miss. 2010)

Sanction: Public Reprimand, 30 day suspension without pay, \$1,500 fine, and \$1,955.20 costs - 6/10/10

Disposition: The Supreme Court held that: (1) evidence supported Commission's findings that judge's judicial conduct, inappropriately touching a clerk, constituted willful misconduct in office and conduct prejudicial to the administration of justice, and (2) public reprimand and 30-day suspension from judicial office were appropriate sanctions.

129. Miss. Comm'n on Judicial Performance v. Buffington, 55 So.3d 167 (Miss. 2011)

Sanction: Public Reprimand and \$100 costs - 02/17/2011

Disposition: The Supreme Court held that public reprimand was appropriate sanction for chancellor's failure to comply with the law in issuing subpoenas for two members of county board of supervisors and his statement that he did not care that he had failed to comply with the law.

130. Miss. Comm'n on Judicial Performance v. Patton, 57 So.3d 626 (Miss. 2011)

Sanction: Public Reprimand, 30 day suspension without pay, \$1,000 fine, and \$100 costs - 3/31/2011

Disposition: The Supreme Court held that: (1) judge's admitted misconduct, including engaging in ex parte communications and misusing his contempt power, constituted misconduct that was prejudicial to the administration of justice, and (2) 30-day suspension without pay, a public reprimand, a \$1,000 fine, and imposition of \$100 in costs was appropriate sanction for judge's admitted misconduct.

131. Miss. Comm'n on Judicial Performance v. Boone, 60 So.3d 172 (Miss. 2011)

Sanction: Public Reprimand, 90 day suspension without pay, and \$1,907.05 costs - 04/28/2011

Disposition: The Supreme Court held that: (1) Supreme Court, in making final determination of appropriate action to be taken, conducts independent inquiry of record and accords careful consideration of the findings of fact and recommendations of Commission; (2) judge's actions, namely his ex parte communications with officer and defendant and inappropriate manner in which he handled fine reduction, constituted willful misconduct in office and conduct prejudicial to the administration of justice; and (3) ninety-day suspension without pay and assessment of costs in the amount of \$1,907.05, and not removal from office, were appropriate sanctions for Judge's misconduct; overruling *Miss. Comm'n on Judicial Performance v. Thompson*, 972 So.2d 582; *Miss. Comm'n on Judicial Performance v. Cole*, 932 So.2d 9; *Miss. Comm'n on Judicial Performance v. Gibson*, 883 So.2d 1155; *Mississippi Commission on Judicial Performance v. Hartzog*, 904 So.2d 981; *Miss. Comm'n on Judicial Performance v. Peyton*, 645 So.2d 954; *Miss. Comm'n on Judicial Performance v. Gunn*, 614 So.2d 387; *Mississippi Commission on Judicial Performance v. Carr*, 990 So.2d 763; *Miss. Comm'n on Judicial Performance v. Sutton*, 985 So.2d 322; and *In re Garner*, 466 So.2d 884.

132. Miss. Comm'n on Judicial Performance v. Littlejohn, 62 So.3d 968 (Miss. 2011)

Sanction: Public Reprimand and \$100 costs - 6/09/11

Disposition: The Supreme Court held that: (1) judge's conduct in holding an attorney in contempt of court due to attorney's failure to recite the pledge of allegiance in open court violated the canons of judicial conduct, and (2) public reprimand and assessment of costs in the amount of \$100 was warranted.

133. Miss. Comm'n on Judicial Performance v. McKenzie, 63 So.3d 1219 (Miss. 2011)

Sanction: Public Reprimand, 30 day suspension without pay, \$500 fine, and \$100 costs - 6/23/2011

Disposition: The Supreme Court held that 30-day suspension from office without pay, a public reprimand, a \$500 fine, and assessment of costs of \$100 constituted the appropriate sanction for judge's misconduct of engaging in various forms of "ticket-fixing."

134. Miss. Comm'n on Judicial Performance v. Dearman, 66 So.3d 112 (Miss. 2011)

Sanction: Public Reprimand, 30 day suspension without pay, and \$100 costs - 6/16/2011

Disposition: The Supreme Court held that: (1) judge engaged in willful misconduct, and in conduct prejudicial to the administration of justice, that brought her judicial office into disrepute, by sua sponte reducing bonds and charges without proper motion, conditioning the reduction on church attendance, initiating and inviting ex parte communications, and presiding at her nephew's initial appearance on domestic violence charge; (2) public reprimand, 30-day suspension without pay, and payment of \$100 in costs constituted appropriate sanction.

135. Miss. Comm'n on Judicial Performance v. McGee, 71 So.3d 578 (Miss. 2011)

Sanction: Public Reprimand, 270 day suspension without pay, and \$100 costs - 8/11/2011

Disposition: The Supreme Court held that: (1) judge engaged in willful misconduct prejudicial to administration of justice which brought judicial office into disrepute when he interfered with criminal proceedings relating to suspect charged with committing crime against relative; (2) judge did not engage in willful misconduct when, upon motion filed by prosecutor, he retired to files or disposed without adjudication 21 cases of driving under influence (DUI) based on satisfaction of pretrial conditions; and (3) public reprimand, suspension from office for 270 days without pay, and assessment of costs was appropriate sanction for violations of Code of Judicial Conduct.

136. Miss. Comm'n on Judicial Performance v. Cowart, 71 So.3d 590 (Miss. 2011)

Sanction: Public Reprimand, 60 day suspension without pay, and \$2,139.63 costs - 9/08/2011

Disposition: The Supreme Court held that: (1) judge's conduct involving criminal defendant violated canons of judicial misconduct, and (2) appropriate sanctions for judge's misconduct were public reprimand, suspension without pay for 60 days, and assessment of all costs of disciplinary proceedings. Justice court judge's misconduct of engaging in ex parte communications with criminal defendant and defendant's husband, attempting to release defendant from jail, and continually demonstrating her personal relationship with defendant warranted sanctions.

137. Miss. Comm'n on Judicial Performance v. Bustin, 71 So.3d 598 (Miss. 2011)

Sanction: Public Reprimand, 30 day suspension without pay, \$500 fine, and \$100 costs - 09/29/2011

Disposition: The Supreme Court held that: (1) judge's actions violated the Code of Judicial Conduct; and (2) thirty-day suspension from office without pay, a public reprimand, \$500 fine, and assessment of costs in amount of \$100 were appropriate sanctions for judge. While serving as attorney for client in separate divorce and child-custody matter, judge executed felony arrest warrant for client's ex-husband based upon affidavit submitted by the client.

138. Miss. Comm'n on Judicial Performance v. Little, 72 So.3d 501 (Miss. 2011)

Sanction: Dismissed with prejudice - 9/08/2011

Disposition: The Supreme Court held that judge's "de facto nonadjudication" by "passing to the file" 16 charges of driving under the influence (DUI) did not violate implied consent statute.

139. Miss. Comm'n on Judicial Performance v. Dearman, 73 So.3d 1140 (Miss. 2011)

Sanction: Public Reprimand, 30 day suspension without pay, and \$100 costs - 11/03/2011

Disposition: The Supreme Court held that judge's misconduct in attempting to influence another judge in a matter involving a friend warranted a 30-day suspension and public reprimand.

140. Miss. Comm'n on Judicial Performance v. Darby, 75 So.3d 1037

Sanction: Public Reprimand, \$500 fine, and \$100 costs - 12/01/2011

Disposition: The Supreme Court held that public reprimand, \$500 fine, and assessment of \$100 in costs constituted the appropriate sanction for youth court judge's misconduct of misusing her contempt powers.

141. Miss. Comm'n on Judicial Performance v. Smith, 78 So.3d 889 (Miss. 2011)

Sanction: Public Reprimand, \$1,000 fine, and \$100 costs - 12/15/2011

Disposition: The Supreme Court held that: (1) agreed-upon facts could be accepted as true; (2) judge violated professional rules by addressing two lawyers and a bail bondsman discourteously and wrongly imposing contempt sanctions against them; and (3) judge's misconduct warranted reprimand, a fine in the amount of \$1,000, and assessment of \$100 in court costs.

142. Miss. Comm'n on Judicial Performance v. Thompson, 80 So.3d 86 (Miss. 2012)

Sanction: Public Reprimand, 30 day suspension without pay, \$2,000 fine, and \$100 costs - 1/26/2012

Disposition: The Supreme Court held that judge's improper dismissal of cases based on errors in application of law, improper ex parte communications, interference in proceedings before other judges, interjection into matters at time when no case was pending before him, and failure to follow the law warranted public reprimand, 30-day suspension from office, fine of \$2,000, and assessment of costs.